

Remarks

Claims 38-40, 43-50, and 53-57 are pending. Claims 38-40, 43-50, and 53-57 stand rejected. Claim 38 is amended by this Response. The Applicants respectfully traverse the rejection and request allowance of claims 38-40, 43-50, and 53-57.

§ 101 Claim Rejections

Claims 38-40 and 43-47 stand rejected under 35 U.S.C § 101 as being non-statutory subject matter. The Applicants disagree. Claim 38 is a method of operating an interface computer system. The method is useful in that it provides an improved method of billing for communication services. Therefore, claim 38 is a useful method that is proper under § 101. The Examiner states that there is no technical basis for claim 38. The Applicants do not know what standard the Examiner is relying on. The method of claim 38 is "for operating an interface computer system to provide an interface between a financial bank card network and a communications system that provides a communications service to a customer with a customer account in the financial bank card network". The Applicants do not understand how the Examiner can say there is no technical basis. Further, the Applicants do not believe that the U.S. Patent and Trademark Office is prepared to go against years of precedent and maintain that the useful method of claim 38 is non-statutory subject matter. Therefore, the Applicants ask the Examiner to withdraw the § 101 rejection.

§ 103 Claim Rejections

Claims 38-40, 43-46, 48-50, and 53-56 stand rejected under 35 U.S.C. § 103(a) over U.S. Patent 6,295,292 (Voit) in view of U.S. Patent 6,160,874 (Dickerman) and U.S Patent 6,377,938 (Block). The Applicants submit that claims 38, 43-46, 48, and 53-56 are novel and non-obvious over the combination of Voit, Dickerman, and Block.

Claim 38 of the pending application is as follows:

*38. A method for operating an interface computer system to provide an interface between a financial bank card network and a communications system that provides a communications service to a customer with a customer account in the financial bank card network, the method comprising the steps of:
receiving a plurality of communications service events from the communications system;
for each of the plurality of communications service events,*

*determining if a communications service event is complete,
if the communications service event is not complete, then the method includes
determining an estimated cost of the communications service event, formatting a pre-authorization
and hold request for the estimated cost, and processing the pre-authorization and hold request
over the financial bank card network, and
if the communications service event is complete, then the method includes determining an
actual cost of the communications service event, formatting a first forced post request for the
actual cost, and processing the first forced post request over the financial bank card network to
charge the customer for the communications service event;
accumulating the plurality of communications service events and associated costs over a billing
period for the customer;
determining whether the customer is due a credit or accessed a surcharge; and
formatting a second forced post request for the credit or the surcharge, and processing the second
forced post request over the financial bank card network.*

There are multiple claim limitations in claim 38 that are not taught in Voit, Dickerman or Block.

First, none of the references teaches the limitations of *"if the communications service event is not complete, then the method includes determining an estimated cost of the communications service event, formatting a pre-authorization and hold request for the estimated cost, and processing the pre-authorization and hold request over the financial bank card network"*.

The Examiner admits that Voit does not teach this limitation. See Office action, page 4.

The Applicants submit that Dickerman does not teach determining an estimated cost of an event and processing a pre-authorization and hold request for the estimated cost over a financial bank card network as provided in claim 38. The Examiner did not comment on whether Dickerman teaches this limitation, so the Applicants will show that Dickerman does not teach this limitation. Dickerman describes a telecom network that requests credit from a financial institution to replenish a debit account if the debit account is running too low to complete a call. See generally, Dickerman. The amount to be credited is designated by the caller (the account holder). Thus, the amount requested to the financial institution in Dickerman is an actual amount designated by the caller, and not an estimated cost of an event as provided in claim 38. The amount designated by the caller could be a very large amount that allows the caller to make numerous calls without having to go to the trouble of replenishing the account. Thus, Dickerman does not teach or suggest estimating the cost of an event and then transmitting a pre-authorization and hold request to a financial bank card network for the estimated cost of the event.

Similarly, the Applicants submit that Block does not teach determining an estimated cost

of an event and processing a pre-authorization and hold request for the estimated cost over a financial bank card network as provided in claim 38. Block describes a processor (60) that calculates actual cost of a call in real-time, and compares the real-time cost to a usable balance. See Block, column 7 lines 56 to column 11, line 27. The processor in Block does not determine an *estimated cost* of an event (i.e., a call) as provided in claim 38. The real-time cost in Block is an actual amount being charged for the call. The actual cost of the call in Block is subtracted from the usable balance maintained by the processor that is a prepaid account or a credit limit. See Block, column 9, line 62. The processor in Block does not determine an estimated amount, and then process a pre-authorization and hold request for the estimated cost over a financial bank card network as provided in claim 38.

In rejecting this limitation according to Block, the Examiner cites column 11, lines 18-28, and column 9, lines 60-65. See Office action, page 5. Column 11, lines 18-28 provides that real-time costs of a call are applied once the call is connected. However, the real-time costs are actual costs subtracted from a usable balance maintained by the processor. In contrast, claim 38 provides for determining an estimated cost of an event. Column 9, lines 60-65 provides that the subscriber has a pre-paid deposit or a credit limit as a usable balance. The usable balance is maintained by the processor in a billing data memory (74), such as in a CO switch. See Block, FIG. 1c, column 6, lines 36-37. Column 9, lines 60-65 does not provide that a pre-authorization and hold request for an estimated cost of an event is formatted for a financial bank card network as stated by the Examiner.

Based on the above remarks, the Applicants submit that Block does not teach determining an estimated cost of an event and processing a pre-authorization and hold request for the estimated cost over a financial bank card network as provided in claim 38. Therefore, the Applicants submit that claim 38 is non-obvious over the combination of Voit, Dickerman, and Block. Claims 43-46, 48, and 53-56 are non-obvious for similar reasons.

Claims 47 and 57 stand rejected under 35 U.S.C. § 103(a) over Voit, Dickerman, and admitted prior art. The Applicants submit that claims 47 and 57 are non-obvious over the combination of Voit, Dickerman, and the admitted prior art for the same reasons provided above.

Conclusion

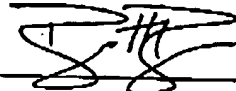
Based on the above remarks, the Applicants submit that claims 38-40, 43-50, and 53-57

are allowable. There may be additional reasons in support of patentability, but such reasons are omitted in the interests of brevity.

Any fees may be charged to deposit account 21-0765.

Respectfully submitted,

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